

SENATE—Thursday, March 11, 1999

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, like the signers of the Declaration of Independence, we pledge to You and to our Nation our lives, our fortunes, and our sacred honor. We confess that it is a lot easier for us to say that than for the 56 men who placed their signatures on that historic liberating document. We reflect thoughtfully that few were long to survive. Five were captured, tortured, and later died. Twelve had their homes ransacked, looted, occupied by enemy soldiers, or burned. Two lost sons in the Army. One had two sons captured. Nine died of hardships. Thomas McKean of Delaware was so harassed that he had to move his family five times and yet served in Congress without pay, his family living in poverty and hiding. Thomas Nelson, Jr. of Virginia committed his own estate to pay back loans of the Government for \$2 million and was never paid back. And we remember John Hancock's courage was as large in commitment of his funds as his signature was on the Declaration.

Father, remind us that freedom is not free. May we do our work today with profound gratitude, but it is You we give the praise. Thank You for women and men in every period of our history who really had to give up their lives, offer up their fortunes, and keep their sacred honor with costly patriotism. God, bless America with women and men like that today and start with each of us now. In Your holy name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

THE CHAPLAIN'S PRAYER

Mr. BROWNBACK. What a beautiful prayer and beautiful way to start the day.

SCHEDULE

Mr. BROWNBACK. Mr. President, today the Senate will begin consideration of Senate Concurrent Resolution 5, a concurrent resolution relating to congressional opposition to the unilateral declaration of a Palestinian state.

Under the order, there will be 45 minutes for debate on the resolution with time controlled by Senators BROWNBACK and WELLSTONE.

At the conclusion of the debate time, the Senate will resume consideration of S. 280, the education flexibility bill, with the time until 2 p.m. equally divided between the chairman and the ranking member.

At 2 p.m., under a previous order, the Senate will proceed to a stacked series of rollcall votes. The first vote will be on adoption of Senate Concurrent Resolution 5, to be followed by votes on amendments pending to the Ed-Flex bill. The final vote in the sequence will be on the passage of the bill.

Following the stacked series of votes, it may be the leader's intention to begin consideration of Calendar No. 16, S. 257, a bill regarding the deployment of a missile defense system.

I thank my colleagues for their attention.

CONGRESSIONAL OPPOSITION TO THE UNILATERAL DECLARATION OF A PALESTINIAN STATE

The PRESIDING OFFICER (Mr. FITZGERALD). The clerk will report the pending business.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 5) expressing congressional opposition to the unilateral declaration of a Palestinian state and urging the President to assert clearly United States opposition to such a unilateral declaration of statehood.

The Senate proceeded to consider the concurrent resolution.

Mr. BROWNBACK. Mr. President, I yield myself such time as I may consume. Under the previous order, I believe there are 45 minutes equally divided between myself and Mr. WELLSTONE on this debate.

At the very start of the Oslo peace process between Israel and the Palestinians, PLO Chairman Yasser Arafat wrote a letter to then Israeli Prime Minister Yitzhak Rabin in which he stated this: "The PLO commits itself to the Middle East peace process, and to a peaceful resolution of the conflict between the two sides, and declares that all outstanding issues relating to permanent status will be resolved through negotiations." That letter was dated September 9, 1993, and it led to the ceremony on the White House lawn 4 days later that publicly launched the peace process.

Indeed, it was on the basis of the words that Chairman Arafat wrote that Israel agreed to enter into the negotiations. It was on that basis that Israel

agreed to cede land and political authority to the Palestinians. It is the most important and fundamental Palestinian commitment, and it undergirds the entire peace process.

And yet it is this very principle that Chairman Arafat now threatens to abandon. Over the past several months he has repeatedly threatened to unilaterally declare a Palestinian state over the entire West Bank and the Gaza Strip, with the eastern part of Jerusalem as its capital.

Mr. President, this issue touches the core of the Israel-Palestinian conflict as the question of the permanent status of the Palestinian entity. What will be its final borders? Will there be limits on its sovereignty? Will it be allowed to have a military, to possess jets and tanks and missiles, to enter into foreign alliances with the likes of Iraq or Iran or Libya? All these questions need to be bilaterally negotiated between Israel and the Palestinians so that Israel's security can be assured.

You can just imagine what happens the day after a unilateral declaration. Palestinian security forces begin patrolling an area that they now consider part of an independent state but that is part of the area that Israel has had security control over. Israel would undoubtedly have to take steps to provide for the safety of its citizens. Tension will mount quickly, leading inevitably—and rapidly—to a quick descent into violence and bloodshed.

And consider for a moment what the Palestinians have already achieved in the peace process. Five years ago at this time, not one Palestinian living in the Gaza Strip or on the West Bank lived under Palestinian civilian authority. Today, 98 percent have their own executive branch, democratically-elected legislature, and courts. They have their own educational system, their own broadcasting authority, their own airport, their own travel documents, their own flag and anthem. They have full control over virtually the entire Gaza Strip and ten percent of the West Bank, including all major population centers, and civilian authority over another seventeen percent. And that is even before the start of final status negotiations. There has been much progress.

So why does Arafat make such a threat? Why jeopardize the entire peace process? On May 4, the five-year period that began with the signing of the first agreement between Israel and the Palestinians ends. It had been hoped that by that point all final status negotiations would have been completed. But it should be noted that

none of the agreements signed between Israel and the Palestinians—Oslo I, Oslo II, the agreement on redeployment in the city of Hebron, and the Wye River Accord were negotiated by the hoped for date. Still, the negotiators stuck to it until agreements were hammered out. That is exactly what should occur now. The peace process is much too important to be held hostage to an arbitrary date.

Some say that Arafat will back down and not carry out this threat, or that he will postpone the date. I certainly hope that is right. But listen to these words of his closest associate which were spoken as recently as February 22, less than 3 weeks ago. He said,

We . . . assure the whole world that the establishment of the independent state of Palestine, with holy Jerusalem as its capital, is a sacred and legitimate right of the Palestinian people. It is a goal that our people will not accept to abdicate or to give up no matter what the difficulties.

Palestinian Authority Minister Nabil Shaath said on February 9, "Our position concerning our right to declare a state on the fourth of May has not changed. Any opposition to this right is rejected."

Eleven days later, on February 20, he continued on the same line, stating, "We are moving forward in our preparations for the day, May 4, the date of the declaration of the Palestinian state." A few weeks earlier, in January of this year, he indicated that the declaration of independence would, in his words, "delineate the borders of the Palestinian state as being the borders of June 4, 1967, including all of the West Bank, Gaza Strip, and the part of Jerusalem that was on the Jordanian side of the armistice."

So it is clear that the Palestinians are still considering their options. Chairman Arafat should know, therefore, that the Congress of the United States strongly urges him not to pursue this reckless course, but to live up to his own words and his own fundamental commitment to negotiate this most complicated and important issue bilaterally with Israel. That is the only true path to a final and lasting peace, which is what we all see.

He should know that the Congress of the United States stands strongly in opposition to a unilateral declaration. This resolution expresses that opposition to a unilateral declaration, and it urges the President to make clear to Chairman Arafat that we will not recognize a unilaterally declared state.

We should be very clear on this point. This is a matter of principle. We should not be relieved if Mr. Arafat arises on May 4 and says, "We will postpone this decision until December 31." A unilateral declaration, whenever it would occur, would be wrong. The status of the territories controlled by the Palestinian Authority can only be determined through negotiations with Israel. Period.

We should not pay Mr. Arafat for not doing something which he should not have threatened to do in the first place. We should have only one message: To make a unilateral declaration of statehood is wrong, we will not recognize it, and we urge you not to go forward with it, but instead to return to the process that has gotten us this far to date—the peace process. That is the only course which holds a promise of meeting the legitimate aspirations of the Palestinian people while providing the people of Israel what they have yearned for in the past 50 years: peace with security.

Mr. President, we have a number of speakers on our side, and I know Senator WELLSTONE does as well.

Before I yield the floor, I ask unanimous consent to add Senators KYL, ROBB, ABRAHAM and MOYNIHAN as cosponsors of S. Con. Res. 5. Their names appear to have been inadvertently omitted in the printed RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I reserve the remainder of our time.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I shall be relatively brief, and then I will ask Senator WYDEN, who is a cosponsor of this resolution, to really manage the rest of the time for Democrats. He is really the person who has taken the lead in the Senate on this, and he certainly should have the most time to talk about the resolution and the importance of it.

Mr. President, I will make a couple of points. One of them is very much in agreement with my colleague from Kansas, having to do with the importance of the peace process.

First, let me say that I think this resolution, which calls on the Palestinians not to unilaterally declare an independent state, is an important resolution. It is one which I certainly support. I support this resolution because I think that whatever ultimately is decided about whether or not there is or is not an independent Palestinian state, that is to be decided by Israel and the Palestinians. That is a part of the negotiation, part of where this peace process has to go in terms of dealing with these kinds of difficult questions. It would be a tragic mistake for there to be a unilateral declaration of a Palestinian state now. It would be a tragic mistake. I think this resolution really says that in a fairly strong and firm way.

Second of all, let me just say that I did have a chance, in December, to go to Israel with President Clinton. I have been a critic of the President on any number of different issues, especially when it comes to human rights questions. I think the administration's

record is very weak. I think the President is trying to do the right thing in the Mideast. I went, in part, because I thought this was a commitment that the President was living up to, which he had made, regarding the Wye River agreement.

It was a very moving trip. I thought it was especially significant. I am convinced that the historians will write about what happened in Gaza when the Palestinian National Council went on record voting to revoke that part of their charter that called for the destruction of Israel. That can only be a step forward. It was very moving to be there when that vote took place. I just think that it raised the benchmark in terms of where we are going in the peace process. I thought it was a terribly important step that was taken.

Now we really wait to see what will happen in Israel. There are key elections. It is my hope that both Israel and the Palestinians will live up to a commitment that I think is so important to people all over the world. If there is not some political settlement, if there is not some resolution of this conflict, I fear that Israeli children and Palestinian children will be killing each other for generations to come.

My final point is that I would like to make this a part of the Senate record, and that is why I wanted to speak briefly about this. I do not believe that our support for this resolution should be construed as the U.S. Senate taking a one-sided point of view. I think we should be evenhanded. I think the role of our Government is to encourage both parties to be committed to this peace process.

I think the role of the U.S. Government is to have credibility with both parties and to simply say that this really is the only step that can be taken, and the only step that can be taken is a political settlement.

So let me just make it clear, as ranking minority member of this committee, that this resolution is a terribly important resolution. I thank my colleagues for their leadership on this question, but I also want to make it clear that I believe it is important for the U.S. Senate to maintain an evenhanded approach and to do everything we can to encourage this peace process to go forward, to do everything we can to encourage both parties to be a part of this peace process. And I believe that is what this resolution does.

I will reserve the remainder of the time on our side. I will ask my colleague, Senator WYDEN from Oregon, to please manage this bill forthwith.

I ask unanimous consent that John Bradshaw, a fellow in my office, be allowed to be on the floor of the Senate for the rest of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. ASHCROFT. Mr. President, I rise today in strong support of S. Con. Res. 5 expressing congressional opposition to the unilateral declaration of a Palestinian state. Yasser Arafat and other senior Palestinian leaders repeatedly have threatened to declare a Palestinian state on May 4, the original deadline for completion of the Oslo peace process. Along with other difficult issues such as the status of Jerusalem, refugees, and water rights, the issue of a Palestinian state should be determined in "final status" negotiations between Israel and the Palestinians.

Recognizing the security threat posed to Israel from a self-contained Palestinian entity, President Reagan wisely enunciated the U.S. policy of opposing the creation of a Palestinian state. Behind President Reagan's policy on Palestinian statehood was his correct understanding that Israel, to ensure its own security, must be able to determine how and in what form a Palestinian state comes to exist. The Reagan policy has endured since 1982 and has served the interests of the United States, Israel, and all other earnest supporters of peace in the Middle East.

But the winds of change have been blowing in the past year. The First Lady was quoted in *The New York Times* in May 1998 as stating that "it will be in the long-term interest of the Middle East for Palestine to be a state" (May 7, 1998, *New York Times*). President Clinton's trip to Gaza last December added a great deal of momentum to Palestinian statehood.

In other parts of the world, implicit policy shifts and diplomatic overtures may pass without much notice. But we have to remember that Israel is in one of the most dangerous and unstable regions of the world. In the Middle East, our actions as Israel's strongest ally have greater implications. That is all the more reason why our diplomacy in the peace process and the Near East generally must exercise foresight, discretion, and firmness.

Since the beginning of the Oslo process in 1993, Israel has lost more than 280 of its citizens to terrorist violence (a portion of the Israeli population comparable to 15,000 Americans) in over 1,000 terrorist attacks. That death toll is worse than in the 15 years prior to Oslo. Rather than eradicate terrorist infrastructure in Palestinian territory, the Palestinian Authority apparently has maintained its revolving door policy in detaining terrorists. Over 20 prominent terrorists have been released since President Clinton's visit to Gaza in December 1998. The Israeli Government reports that at least 12 wanted fugitives, including several who have killed American and Israeli citizens, are known to be serving in the Palestinian police.

At times, Mr. Arafat has threatened to cross out the peace accords and un-

leash a new uprising against Israel. He has described the peace accords as a temporary truce. The Palestinian Authority's official media arm, the Palestinian Broadcasting Corporation, consistently broadcasts incitement against Israel, including a children's program where martyrdom as "suicide warriors" is glorified. Mr. Arafat has not been helpful in resolving Israeli MIA cases, including the case of Zachary Baumel, missing since 1982.

This is not the behavior of a responsible partner in the search for peace. The United States should be demanding full accountability for these violations of the Oslo Accord.

Too often, we have been seen as pressuring our friends and rewarding those who undermine the peace process, both in our dealings with the Palestinian Authority and our diplomacy throughout the Middle East.

Palestinian Violations of the Wye Accord: In spite of Palestinian violations of the Wye Accord, the latest agreement in the peace process, State Department spokesman James Rubin said Palestinian leaders had "worked hard" to fulfill their commitments. Rubin then emphasized "It is the Israelis who have not fulfilled any of their Phase Two obligations by failing to pull back the further redeployment as required by Phase Two" (January 6, 1999).

Iran poses a military and terrorist threat to Israel: Iran's ballistic missile and weapons of mass destruction programs are a direct threat to Israel. The Senate passed the Iran Missile Proliferation Sanctions Act (H.R. 2709) to sanction missile proliferation to Iran by a 90-4 vote last year, but the President vetoed the legislation. Iran supports terrorist groups which have killed Americans and Israelis, yet the Administration waived sanctions last year under the Iran-Libya Sanctions Act designed to restrict billions of dollars in foreign investment in Iran's oil and gas fields—dollars which will fund Iran's support of the enemies of peace in the Middle East.

Lack of U.S. Leadership in Iraq: Saddam Hussein is the chief terrorist of a terrorist government committed to the destruction of Israel. The Iraqi president has provided nothing but provocation for over a year and international support for the sanctions regime is eroding. An inconsistent Administration policy on Iraq over the last five years has undermined our efforts to bring about a change of government in Baghdad.

Syria continues to harbor Hezbollah terrorists: Syria provides safe haven to Hezbollah terrorists which wage an almost constant low-grade war with Israel. Hezbollah killed four Israelis in southern Lebanon on February 28, including a Brigadier General, the highest ranking Israeli officer to be killed in Lebanon in 17 years. I have spon-

sored legislation to sanction the Syrian Government for its support of terrorism, but the Administration has opposed the bill for the past 2 years.

As Israel faces each of these threats, it must determine finally what steps in the peace process preserve and enhance its security. American policy has been most successful in the region when it has respected this fact. A unilateral declaration of a Palestinian state undoubtedly would upset future peace talks and introduce a destabilizing element into Middle Eastern politics. The Administration has said it opposes unilateral acts by either side in the peace process, but neutral statements are not good enough when it comes to supporting a friend like Israel in a dangerous region. Our leadership must be more consistent and forthright in opposition to the unilateral declaration of a Palestinian state.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, how much time is left on our side?

The PRESIDING OFFICER. Seventeen minutes 33 seconds.

Mr. WYDEN. Thank you, Mr. President.

Mr. President, I am going to speak for a few minutes, and then I am going to yield some of our time to the Senator from New Jersey, the cosponsor of this resolution who has very strong feelings on this matter as well. We appreciate him coming over, as well, this morning.

Mr. President, a unilateral declaration of Palestinian statehood is irresponsible political brinksmanship, a provocative act that literally dares the State of Israel to respond, and it directly contravenes the spirit of the historic Oslo accords.

Six years ago, at those accords, the Israeli and Palestinian people took significant steps toward achieving peace and stability in the Middle East. Together there was a commitment to work and cooperate to produce a lasting peace through open and honest negotiations.

Despite that very promising beginning, the peace process is now on dangerously thin ice. The greatest risk to stability in the Middle East today is a repeated threat by Palestinian leaders to unilaterally declare statehood once the historic Oslo accords expire on May 4. Not only would such a declaration run counter to the spirit of the accords, but it would truly send a chilling message to all those who want meaningful peace in the Middle East.

That meaningful peace is why Senator BROWNBACK and I in our bipartisan resolution today have garnered the support of 95 Members of the U.S. Senate to stand in strong opposition to a unilateral declaration of a Palestinian state. We believe that step would constitute an ill-conceived plan that would

truly short-circuit the peace process. It would be bad news to all those who value stability in the Middle East.

The question of achieving Palestinian statehood while maintaining Israel's security lies at the heart of the conflict between Israel and the Palestinian people. It is not going to be resolved overnight with a press release. It is going to take careful face-to-face negotiations and real commitment from both sides.

Both Israeli and Palestinian leaders made a commitment in the Oslo accords to go forward with the negotiated process. Chairman Arafat said so himself in a letter to Prime Minister Rabin in 1993. In his own words, he said, "All outstanding issues relating to permanent status will be resolved through negotiations." He needs to be held to this promise. Israel has held up its end of the bargain. Mr. Arafat must do the same.

A rash move such as unilateral declaration would derail these negotiations and risk a dangerous escalation of this conflict. This sheer defiance of both the Oslo accords and the peace process would be the diplomatic equivalent of drawing a line in the sand, which invites a response and a potential escalation of this conflict.

On the playground, fights begin when the schoolyard bully balances a stick on his shoulder and dares someone to knock it off. A unilateral declaration of statehood employs the same kind of school-yard bullying—it dares the State of Israel to respond. And when Israel does respond by taking reasonable and necessary steps to ensure its security, these actions would be used as an excuse to further escalate this conflict.

How long would it be before we have Israeli defense forces and Palestinian militiamen standing eyeball to eyeball across the disputed border waiting for the other to blink, if there is a unilateral declaration of statehood?

How long before tensions rise so high that the smallest spark ignites more violence?

How long before we are faced again with the disturbing images where both Palestinian and Israeli mothers are shown mourning their children slain in some senseless act of violence?

The people of the Middle East have been down that road before. They have tried the old ways in resolving conflict through violence and bloodshed. Now they want the opportunity to use peaceful negotiation to resolve their differences. Let us not sabotage the prospect of peaceful resolution with a unilateral declaration. The Oslo peace process is a valuable opportunity to begin healing centuries-old wounds. A unilateral declaration of statehood would only reopen those old wounds and eventually lead to yet more bloodshed.

No one wants to see diplomats being replaced by armed soldiers. No one

wants to see open dialog give way to angry threats. The peace process will be far better served by an open hand extended in friendship than by a fist clenched in anger.

Mr. President, the resolution that we will be voting on today is vitally important to keep the peace process moving forward. With overwhelming bipartisan support in the Senate, we have the opportunity to send a clear, unequivocal message that we stand united in our opposition to a unilateral declaration of statehood. This resolution will hopefully make Palestinian leaders think twice about scrapping the peace process.

I am pleased that the President of the United States indicated his opposition to a unilateral declaration of statehood. The reason so many Members of the Senate join us today in this bipartisan resolution is we wish to drive this message home even further.

The President is going to be meeting with Chairman Arafat in several weeks to discuss this important issue. By the Senate making this unequivocal assertion this morning, we can strengthen his hand as he goes forward using the Oslo peace process to make sure that there are no end runs around the critically needed negotiations.

I am optimistic that a peaceful resolution can be found in the Middle East. Last month, Israeli and Palestinian authorities committed themselves to try to change the images they have of each other and to break through the mistrust that has divided them for so long.

They decided to exchange columns in each other's newspapers and to hold joint briefings for Israeli and Palestinian journalists. These are positive steps toward peace, and I'm hopeful to see more of this kind of cooperation in the Middle East.

But even an incurable optimist like me knows that it would be difficult to take further positive steps after a bad-faith attempt to unilaterally declare independence.

Palestinian statehood is a complex issue that must be dealt with carefully. It cannot be resolved through force or fiat. The prospect of peace in the Middle East is just too important to risk in a game of political chicken. If the Palestinian leadership is truly serious about peace, they will abandon the prospect of unilateral statehood.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. I am very proud to join with Senator BROWNBACK, Senator WYDEN, and my other colleagues in offering this resolution. I strongly support S. Con. Res. 5 and urge all of my colleagues in the Senate to adopt it.

S. Con. Res. 5 states not only our opposition to a unilateral declaration of a Palestinian state; it also urges the President of the United States to make

very clear the opposition of this Government to such a unilateral action.

It is fair to state that the peace process in the Middle East has reached a critical point. Since the signing of the Wye River agreement, there has in truth been little progress. Some predicted that with the passage of the January 29 implementation date, the agreement might fail. All parties have a common interest that the Wye Plantation agreement not fail because the consequences would be enormous. The arguments for success remain overwhelming.

First, only implementation of the agreement will allow the parties to move to talks on final status, and only talks on final status hold the promise of ending this decades-old dispute.

Second, only implementation of the agreement will allow the parties to build on the basic elements of trust and confidence that are required for any complete and final agreement.

And finally, only a successful agreement will contribute to stability in the region, and bring an end to the use of the Palestinian dispute to fuel other conflicts.

Fifty years of negotiating for greater peace in the Middle East has taught us one lesson, peace requires both words and deeds. Any deed that runs contrary to written agreements has enormous consequences.

We have also learned through these 50 years that progress may be unsteady, but it is certain. It has been a very long road from Golan disengagement of the Syrians, to a Sinai agreement, to Egyptian peace, to the Wye Plantation, following Oslo. There were moments when it appeared it might come to an end, but it has been continuous. The process does work, and it yields results. Abandoning the peace process now by a unilateral declaration of Palestinian statehood runs contrary to everything we have learned. It is contrary not only to the interests of the peace process of Israel and the United States, but ironically, in the long term contrary to the interests of the Palestinians themselves.

I believe the consequences would be enormous: The destabilization of the peace process would perhaps be irrevocable; second, the declaration is almost certain to lead to renewed bloodshed and frustration—people would believe the peace process would never be resumed. And, third, tragically, it may damage the interests of the U.S. Government in the supplemental aid package that is part of the Wye River agreement, and the hope of economic progress on the West Bank and Gaza so the Palestinian people themselves believe there is a dividend in the peace process and their quality of life. It would be extremely difficult to return to the Congress and argue for that supplemental aid package, including funds

for the Palestinians, if the peace process has been abandoned and a Palestinian state unilaterally declared.

Mr. President, both parties committed themselves to a continuous bilateral process of negotiation. In September 1993, Yasser Arafat said to then-Prime Minister Rabin, "All outstanding issues relating to permanent status will be resolved through negotiations." That was not a simple statement of fact. It was a promise. It is on that promise that Israel entered into the Wye agreement. It is on that promise that the United States has lent its good offices. It is on that basis that Israel recognized the Palestinian Liberation Organization and began these negotiations.

A unilateral act by the Palestinians on statehood would undermine this process perhaps irrevocably. I urge my colleagues' support of this resolution.

Just as importantly, I urge Chairman Arafat to consider these consequences. Whatever frustration he may feel, whatever disappointment they all feel that the deadline of January 29 has passed, I urge Chairman Arafat to remember that while progress has been unsteady, it has continued. This process will go forward. Do not abandon it. The Israeli elections may have caused a delay, but a new Israeli Government will remain committed to the peace process no matter who is elected. Reject the advice of abandoning peace. Reject the temptation of a unilateral declaration of statehood. Await the outcome of the Israeli elections and then let us return to the only peace process that guarantees the Israeli and the Palestinian people final determination through permanent status talks.

That is the process that is now before us. I thank my colleagues for offering this resolution. I thank Senator WYDEN for yielding me time.

I reserve the remainder of my time.

Mr. DEWINE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, could I inquire how much time is remaining on this side?

The PRESIDING OFFICER. The Senator from Ohio has 7 minutes 6 seconds.

Mr. DEWINE. Mr. President, I rise today in strong support of this concurrent resolution, S. Con. Res. 5. This resolution expresses the strong disapproval of the U.S. Senate to any proposed or contemplated Palestinian state that is created, not through negotiation, but rather through unilateral declaration on the part of the Palestinian Authority.

I strongly support and have cosponsored this resolution because I believe in the Middle East process. Brave Israeli leaders have taken great risks for peace. So have Arab leaders. And so, importantly, have the people of the Middle East. I believe this process still offers the most promising approach for an enduring peace in the region.

Palestinian Chairman Arafat made a fundamental commitment at Oslo that, in his words, "all outstanding issues relating to permanent status will be resolved through negotiations." I am here on the Senate floor today to call for a reassertion of that very policy. To move away from the Oslo process and take refuge in unilateralism would put the whole region at risk of destabilization. That is simply the wrong direction. I do not believe that a lasting peace can be built on the basis of unilateral declarations. Negotiations remain the single best way to secure the two pillars of a secure peace—addressing Israel's security concerns and creating a sustainable framework for preserving the human rights and political self-determination of the Palestinians.

The American people want security for Israel in the context of human rights for Palestinians. A unilateral declaration of independence by the Palestinian Authority would only delay the fulfillment of these goals. So I am proud to join my colleagues today in supporting this very important resolution.

Mr. LEVIN. Mr. President, I rise today to voice my support for Senate Concurrent Resolution 5 and announce my opposition to the unilateral declaration of a Palestinian state.

Palestinian statehood is an issue that has been left to be resolved between Israel and the Palestinians during permanent status negotiations. Nevertheless, Chairman Yasser Arafat has stated on a number of occasions his intention to declare a Palestinian state on May 4, 1999. This action would seriously undermine the continuation of the Oslo peace process. Prime Minister Binyamin Netanyahu has stated publicly that he would respond to such a unilateral declaration by annexing parts of the West Bank. Such a chain of events would surely mark a major setback and probably the end of the peace process.

In his September 9, 1993 letter to the late Prime Minister Yitzhak Rabin, Chairman Arafat writes that "all outstanding issues will be resolved through negotiations." The unilateral declaration of a Palestinian state would clearly violate this commitment as well as the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip which was signed in Washington, D.C. on September 28, 1995. The agreement states that it is the understanding of the parties involved that permanent status negotiations "shall cover remaining issues, including: Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbors, and other issues of common interest" and further that "neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations."

Mr. President, this resolution puts the U.S. Senate on record as opposing the unilateral declaration of Palestinian statehood. It is a statement, in my mind, in support of the peace process and the continuation of negotiations between the Palestinians and the Israelis. Negotiation and mutual agreement are the only way a true and lasting peace can be reached in the Middle East. While a Palestinian state may indeed become a reality at some point in the future, it is my hope that any such entity would be born from the direct negotiations of the Israeli and Palestinian people and not a unilateral declaration.

Mr. MACK. Mr. President, a unilateral statehood declaration by chairman Arafat would constitute a gross violation of the Oslo accords, in effect ending the peace process. And any state that he might declare, outside of the peace process, would be illegitimate, irresponsible, and wrong.

I am pleased to see this initiative has been cosponsored by 90 Senators as of this morning. But we must realize that this show of support grows from a very deep and heartfelt concern. We want peace to succeed, but Chairman Arafat's threat to unilaterally declare a state clearly threatens peace.

Mr. President, last week in a statement on the Senate floor, I asked how can peace be reached while the Palestinian leadership teaches children to hate. Today I ask, how can peace be reached when the Palestinian leadership threatens to unilaterally impose a final status.

I rise today to oppose this threat to the peace process. I hope the President will join us in making this statement to Chairman Arafat.

Mr. LEAHY. Mr. President, S. Con. Res. 5 expresses congressional opposition to a unilateral declaration of a Palestinian state and urges President Clinton to unequivocally assert United States opposition to such a declaration. I agree with the sponsors of this resolution that it would be extremely unwise for the Palestinian Authority to take such a provocative and destabilizing step.

In open forums and behind closed doors the administration has expressed repeatedly its opposition to any unilateral action by either Palestinians or Israelis which would predetermine issues reserved for final status negotiations. There is no doubt that the United States firmly opposes a unilateral declaration of a Palestinian state.

Such a declaration would be a violation of the principles contained in the Oslo Accords, and it could imperil the hard won but fragile agreement reached at Wye River. At the signing of the Wye River Memorandum, the late King Hussein said, "we are not marking time, we are moving in the right direction." A unilateral declaration of a

Palestinian state would throw the entire process into reverse. It would be a serious mistake.

So I support S. Con. Res. 5 as far as it goes. Unfortunately, it does not reflect the inescapable fact that there are two sides to the Middle East Conflict. Just as the Palestinian Authority has fallen short in its implementation of its Oslo commitments, so have some Israeli Government actions exacerbated the condition which have caused some Palestinians to demand that the issue of statehood be resolved outside the scope of the Oslo process. Many have lost the hope that was kindled by the handshake between Prime Minister Rabin and Chairman Arafat on the White House lawn in 1995. Had the resolution been better written or balanced I could have co-sponsored it.

Despite these setbacks, the administration has played a key role in keeping the peace process alive. Congress has been asked to provide over a billion dollars in new funding to support implementation of the Wye River Memorandum. This is funding that we are very hard-pressed to find, but lasting peace in the Middle East is in the strong interest of the United States. Just as we are doing our utmost to bring the parties together, they need to demonstrate that they are fulfilling their commitments. They must both refrain from taking provocative, unilateral actions that would jeopardize the prospects for peace and they must both be willing to take the necessary risks to ensure a safe and prosperous future for their people.

Mr. FITZGERALD. Mr. President, I rise today as an original cosponsor of S. Con. Res. 5, a resolution expressing opposition to a unilateral declaration of a Palestinian state. I am proud to join my colleagues in supporting this resolution.

We cannot allow the work of the past several years to be swept away by unilateral acts such as that threatened by Yasser Arafat. President Arafat has threatened to declare a Palestinian state by May 4, 1999 if there is no further progress in the Peace Process.

Mr. President, this act, in defiance of the Oslo Peace agreements signed by the late Prime Minister Yitzhak Rabin and Mr. Arafat, can only destabilize the region. It would no doubt precipitate further acts and the entire Peace Process, as precarious as it is, could be shattered.

The only true path to peace is through negotiation with Israel. There is no other way to achieve a satisfactory conclusion to this 100-year conflict. With the passage of this resolution Congress sends the message that if Yasser Arafat declares a Palestinian state on May 4, the United States should not recognize the validity of the declaration and Congress will strongly oppose it.

Mr. President, if there is to be peace between Israel and the Palestinians, it

will be accomplished through peaceful negotiations between the two parties, not through unilateral acts.

Mr. BOND. Mr. President, I rise to offer my strong support to the resolution. For a long time now, the Palestinians and the Israelis have been negotiating a peace, based on compromise and a vision of peaceful coexistence.

These negotiations have been difficult, for both sides. But, they have progressed steadily toward an extraordinary agreement. One which could be a model for all the world to marvel.

A unilateral declaration by Chairman Arafat would destroy the advances he has made for his people in their quest for peaceful political and geographic autonomy. It is provocative, and it goes against every tenet of every accord to which he has affixed his signature. It would destroy any goodwill he has developed in this body because of his good faith negotiation with the Israeli Government.

I am proud that this body has the courage to stand up and voice its opposition to any unilateral moves by Mr. Arafat. I hope that he can see through the political fog he has created by floating this situation, which was made obviously in an effort to pander to radical elements.

As an original cosponsor of this resolution, I call upon all my colleagues to send a clear message that we could not accept such a declaration.

Mr. BYRD. Mr. President, I have no doubt that S. Con. Res. 5 is a well-intentioned effort by the members of this body to express their opposition to any unilateral declaration of statehood by the Palestinians. I support that position—such a reckless action on the part of the Palestinians would be disastrous to the Middle East peace process—but I cannot support this resolution. It is, in my opinion, ill-timed and unnecessary.

The Administration has made clear its opposition to any unilateral action that would preempt the negotiations between Israel and the Palestinian Authority. But the Palestinians are not the only players in this drama. The Israelis are also partners in the peace process, and have an equal stake in refraining from provocative and destabilizing actions. This resolution, however, does not address the responsibilities of the Israelis.

If Yasser Arafat has not yet gotten the message that the United States is opposed to a unilateral declaration of statehood, this non-binding resolution is not sufficient to drive the point home. But it contains the kind of rhetoric that could be used by those who wish to further disrupt the peace process. Given the tensions inherent in the efforts to negotiate a peaceful settlement between the Israelis and the Palestinians, the Congress should not take up what amounts to little more than a

self-serving resolution that may do more harm than good.

If the United States Congress wishes to make a meaningful contribution to the Middle East peace process, we should, first, keep pressure on both sides to negotiate in good faith and to avoid provocative words or actions, and second, we should act promptly when the Administration sends to Congress its request for supplemental appropriations to implement the Wye River peace agreement. In this way, we can demonstrate our commitment to peace in the Middle East without adding fuel to an already incendiary situation.

Mr. KYL. Mr. President, I rise to express my support for Senator BROWNBACK's legislation, Senate Concurrent Resolution 5, regarding the unilateral declaration of a Palestinian state. As an original cosponsor of this legislation, I believe it is important for the Senate to indicate its opposition to any unilateral declaration of statehood by the Palestinian Authority before Chairman Yasser Arafat's visit to the United States to meet with President Clinton.

The legislation underscores three important points:

First, the final political status of the territory controlled by the Palestinian Authority can only be determined through negotiations and agreement between Israel and the Palestinian Authority.

Second, any attempt to establish Palestinian statehood outside the negotiating process will invoke the strongest congressional opposition.

Third, the President should unequivocally assert United States opposition to the unilateral declaration of a Palestinian state making clear that a declaration would be a grievous violation of the Oslo accords and that a declared state would not be recognized by the United States.

As we all know from reading the newspapers, this legislation is directed toward those Palestinians, including Chairman Yasser Arafat, who have made statements about the possibility of issuing a unilateral declaration on or about May 4 of this year. Last month a top Palestinian official said, "We are moving forward in our preparation for the day, May 4th, the date of the declaration of the Palestinian state that would encompass a portion of Jerusalem. The cabinet announced that 'At the end of the interim period [the Palestinian Authority] shall declare the establishment of a Palestinian state on all Palestinian land occupied since 1967, with Jerusalem as the eternal capital of the Palestinian state.'"

On several occasions over the past year, the Clinton administration has refused to express U.S. opposition to the unilateral declaration of an independent Palestinian state, and has left it an open question as to whether the United States will recognize a unilaterally declared Palestinian state. As an

example, his intention to establish a Palestinian state with its capital in Jerusalem. Unfortunately, the President may have only encouraged this course when he said: "[T]he Palestinian people and their elected representatives now have a chance to determine their own destiny on their own land."

This legislation is intended to set the record straight. Despite the President's ambiguous statements, there should be no confusion among the Palestinian leadership about where the United States Congress stands on the issue of a unilateral declaration of statehood.

Mr. President, this matter brings to the fore another issue in which the administration's mixed signals and inconsistent policy in the Middle East has enabled false hopes and fantasy to flourish. I am referring to the policy of the United States regarding the status of Jerusalem.

With support from 90 percent of the members in both Houses, in 1995, Congress passed the Jerusalem Embassy Relocation Act, the principle feature of which was the requirement to establish an American embassy in Jerusalem no later than May 31, 1999. Another key element of the legislation, which the administration has repeatedly refused to acknowledge, is the statement of U.S. policy regarding Jerusalem. The legislation states: "It is the policy of the United States that Jerusalem is the capital of Israel." Despite that the legislation is now law, the Clinton State Department has repeatedly refused to acknowledge this policy.

So, with the acquiescence of the Clinton administration, the Palestinian Authority has chosen to ignore American law and continues to hold out hope that the United States will recognize Jerusalem as the capital of a Palestinian state, perhaps even the capital of a state established unilaterally.

This will not happen.

The United States Congress has a clear policy regarding Jerusalem. Today, we are stating our position regarding the unilateral establishment of a Palestinian state. While the administration's policies are confusing, ambiguous statements of general support for everything on the table, the Congress is clear and direct. No unilateral declaration. No Palestinian sovereignty over Jerusalem.

I commend Senator BROWBACK and my colleague from Arizona, MATT SALMON, who is the principal sponsor of this legislation in the House of Representatives.

Mr. KENNEDY. Mr. President, I strongly support this resolution, and I urge the Senate to approve it. I oppose the unilateral declaration of an independent Palestinian state. Such a provocative action would violate the letter and the spirit of the peace process in the Middle East, and could well be an irreparable blow to that process.

The issue of an independent state is clearly one of the most critical issues

in the peace process, and just as clearly, it is an issue that must be negotiated by the parties themselves.

I hope very much that Chairman Arafat will be successful in resisting the pressure he is under to take this irresponsible action. The peace process is too important, and the parties have come too far, to allow this to happen.

It is very important for all of us in the United States who care about peace in the Middle East to make our views clear on this fundamental issue. I commend the Senate leadership of both parties for enabling the Senate to go on record today in strong opposition to any such unilateral declaration.

Mr. BIDEN. Mr. President, when the Prime Minister of Israel, the late Yitzhak Rabin, and the Chairman of the Palestine Liberation Organization, Yasser Arafat, signed the Declaration of Principles on September 13, 1993, they each made a commitment to put nearly a century of conflict behind them and agreed to settle their differences through negotiation.

Since then, the process they set into motion has had its ups and downs. Many innocent lives have been lost at the hands of those opposed to peace and reconciliation. But progress has been sustained because both sides have ultimately demonstrated a willingness to resolve their disputes at the bargaining table.

Were Chairman Arafat now to take the unilateral step of declaring a Palestinian state, I fear that it would threaten the progress that has been made over the past 6 years.

The Declaration of Principles stipulates that the toughest issues—Jerusalem, refugees, settlements, borders—are to be resolved by permanent status negotiations. It is dangerous to argue that the end of the interim period on May 4 gives either side the right to decide an issue that both sides agreed to negotiate.

Any action or proclamation by either side that prejudices the outcome of negotiations can only hurt the cause of peace. It invites the other side to respond in-kind, and it serves only to delay a lasting peace settlement.

Mr. President, last August, I had the opportunity to meet with the Chairman Arafat and Prime Minister Netanyahu. At the request of President Clinton, I discussed with them some of the key issues in dispute.

Contrary to what many were saying at the time, I found both leaders to be committed to the peace process. Not many believed that these two individuals would overcome the profound differences over territory and security that were holding up an agreement on the second redeployment. With the Wye River Memorandum, both leaders proved that negotiations can resolve disputes, if both sides share the same goal.

It is in that spirit that I trust that the Palestinian leadership will not pro-

ceed with a unilateral declaration of statehood.

I am confident that they will realize that their aspirations can best be realized through a commitment to the principles of negotiation.

I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. DEWINE. I yield time to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, it is my expectation—and really prediction—that this resolution will pass the U.S. Senate by overwhelming numbers and that it should be heeded by any of those who wish to have a unilateral declaration of a Palestinian state. My colleagues have already articulated the point that Chairman Arafat has made a commitment to determine issues such as the Palestinian state by negotiations, and we would expect that commitment to be preserved. There are very delicate matters involving Israel and the Palestinian Authority with respect to withdrawals, and there are major risks in ceding as much real estate, as much ground, as much territory as Israel has ceded to the Palestinians.

There is an element of great emotionalism, over and above the issue of security. I recall the famous handshake on the White House lawn on September 13, 1993, with the expectation of working out a permanent peace in the Middle East.

In December of 1993 I had occasion to travel with a congressional delegation and visited Egypt. President Mubarak arranged a meeting with Chairman Arafat at that time, where he renewed his pledges to live by the Oslo accord.

A few weeks later I was in Israel, in Jericho, and found for sale at the roadside stands, flags of the Palestinian state. The ink was barely dry on the Oslo accords and the handshakes were barely unclasped on the White House lawn before people were talking about a Palestinian state and there was, in fact, the Palestinian flag.

I recall visiting in Amman, Jordan, in the mid-1980s, awaiting a meeting with King Hussein and looking at a map of the Mideast. Where I expected to see the designation of "Israel," there was the designation of "Palestine." I mentioned that to King Hussein, the leader of Jordan, and had the comment that "it was an old map." Well, maps can be redrawn. But for years the State of Israel was not recognized in the Arab world. Instead of having "Israel," which had control of the land and was the sovereign controlling that land, "Palestine" was still noted on the maps.

There is also the issue of a very substantial appropriation which is being sought from the Congress of the United

States. I am not saying that appropriation would be conditioned on the Palestinian Authority abiding by the terms of the Oslo accord with respect to settling the declaration of a Palestinian state by negotiations, but certainly it would be in mind, it would be a factor to be considered, with many, many others.

So, in sum total, there is much to recommend restraint by the Palestinian Authority and to leave this issue, as to whether there will be a declaration or not, to final status negotiations in accordance with the terms of the Oslo accord.

I thank the Chair and thank my colleague from Ohio for yielding the time. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, Senator LAUTENBERG, the Senator from New Jersey, is interested in speaking on this as well. He is not here at this time.

I ask unanimous consent that the remainder of our time be allowed to go to Senator LAUTENBERG. I believe it is just under 5 minutes. It is my understanding there will be a vote on this measure at 2 o'clock or sometime in that time vicinity, so he would have to get here, obviously, fairly soon. But I ask unanimous consent the remainder of our time be allocated to Senator LAUTENBERG.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I understand there is a unanimous consent agreement that says I should be permitted to use the remainder of the time on this side.

The PRESIDING OFFICER. The Senator is correct.

Mr. LAUTENBERG. Mr. President, I rise in support of this resolution, of which I am an original cosponsor, opposing Palestinian statehood as a unilateral declaration. We need to send an unequivocal signal of the Senate's opposition to any unilateral declaration of Palestinian statehood.

I know the players here very well. I knew Israeli Prime Minister Rabin. I considered him a close friend. I had a lot of contact with him over a period of more than 20 years. I got to know Chairman Arafat when he came to Washington, and I have seen him in Jericho. I have seen him here several times; I have seen him in New York. When they got together, shook hands,

and signed the Declaration of Principles that was negotiated in Oslo, it was a tremendous historical moment.

The Oslo accords set in motion a process to end violence and bring peace to this troubled region. Despite obstacles and delays, Israel and the Palestinians have come a long way down the road to a better future. Last year, with the peace process stalled, President Clinton brought together Prime Minister Netanyahu and Chairman Arafat for intensive discussion on a plan that would achieve further progress in implementing the Oslo accord. With the help of a good friend to the United States, to Israel, and to the Palestinians—King Hussein of Jordan—President Clinton convinced the parties to sign the Wye River agreement.

Both Israel and the Palestinians implemented their commitments in the first phase of the Wye memorandum. Unfortunately, the process remains stalled there, though important cooperation between Israeli and Palestinian representatives continues.

President Clinton has rightly urged the parties to respect and implement the Wye memorandum, despite the pending election in Israel. Prospects for further implementation are good, in my view, even if this is not happening right now.

The point is that, on the whole, the Oslo framework is still intact. Final status negotiations to resolve the most challenging issues should begin within a matter of months. In that context, the resolution we are considering today makes a vital point. The Palestinians must not jeopardize the peace process by unilaterally declaring statehood, as Chairman Arafat and other Palestinian leaders have suggested. By adopting this resolution, we send an unequivocal message that, certainly as far as the Congress is concerned, the United States would not recognize a unilateral statehood declaration and would instead condemn it as a violation of the Oslo accords.

Mr. President, this resolution represents our strong commitment to a negotiated peace in the Middle East. I, on a personal basis, look forward to the fact that one day they will put aside violence there and they will get along. It is a necessity; this is not a matter of choice. I welcome the overwhelming support that is indicated for this message on the part of my colleagues, that no unilateral declaration of statehood will receive the support or the encouragement of the United States.

With that, I yield the floor.

Mr. ROBB addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, I think this is a really important issue in that we understand that the bottom line is that threats undermine the peace process. It is that simple. Autonomy has to be determined through the

process of negotiations. We are not talking about statehood. I applaud all of the Members who have joined in cosponsoring this resolution. I hope it will be passed unanimously by the U.S. Senate.

EDUCATION FLEXIBILITY PARTNERSHIP ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 280, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 280) to provide for education flexibility partnerships.

The Senate resumed consideration of the bill.

Pending:

Jeffords amendment No. 31, in the nature of a substitute.

Jeffords (for Lott) modified amendment No. 60 (to amendment No. 31), to express the sense of the Senate regarding flexibility to use certain Federal education funds to carry out part B of the Individuals with Disabilities Education Act, and to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Feinstein/Dorgan/Bingaman amendment No. 61 (to amendment No. 31), to assist local educational agencies to help all students achieve State achievement standards, and to end the practice of social promotion.

Wellstone amendment No. 62 (to amendment No. 31), to provide for local and state plans, use of funds, and accountability, under the Carl D. Perkins Vocational and Technical Education Act of 1998, except to permit the formation of secondary and postsecondary consortia.

Bingaman amendment No. 63 (to amendment No. 31), to provide for a national school dropout prevention program.

Bingaman (for Murray/Kennedy) amendment No. 64 (to amendment No. 31), authorizing funds for fiscal years 2000 through 2005 to provide for class-size reduction in the early grades and to provide for the hiring of additional qualified teachers.

Bingaman (for Boxer) amendment No. 65 (to amendment No. 31), to improve academic and social outcomes for students and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities during after school hours.

Jeffords (for Lott) amendment No. 66 (to amendment No. 31), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Jeffords (for Lott) amendment No. 67 (to amendment No. 31), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Jeffords (for Lott) amendment No. 68 (to amendment No. 31), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act, and